



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/731,235

12/08/2003

Kazuto Yoneyama

16869P-097700US

4953

20350

7590

11/15/2006

TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

ONI, OLUBUSOLA

ART UNIT

PAPER NUMBER

2168

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/731,235	YONEYAMA, KAZUTO	
	Examiner	Art Unit	
	OLUBUSOLA ONI	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6,7,11,12,14-20 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6,7,11,12,14-20 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication: filed on 08/28/2006.

Response to Amendment

2. Claims 1-5, 8-10, 13 and 21-22 have been cancelled.
3. The applicant has amended claims 6, 11, 12, 14, 16, 19 and 23.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2168

5. Claims 6-7, 11-12, 14, 16, 19, 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Chung et al. (Pub No: 2005/0071425) hereinafter "Chung"

For claim 6, Chung teaches "a recording medium control module configured to read content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information (See paragraph [0004-0008], [0014], [0044])

"a network control module configured to connect with the provider of service information based on the locator information"(See paragraph [0037], [0044])

"a database control module configured to store content identification information relating to audiovisual information" (See paragraph [0003], [0008], [0040])

"wherein the network control module is configured to send to the provider associated with the locator information the content identification information, and to receive from the provider service information containing at least one of text information and audiovisual information corresponding to the content identification information"(See paragraph [0027])

"wherein the database control module is configured to compare the content identification information from the provider and the content identification in a management database, and to register the content identification information and the locator information in the management database if the content identification and the

Art Unit: 2168

locator information have not been registered in the management database” (See paragraph [0007-0008], [0038], [0040], [0044])

For claim 7, Chung teaches “further comprising a playback control module configured to output information to a display device to display information, wherein the playback control module generates distinction information distinguishing, from the service information received from the provider, between audiovisual information of content identification information not registered in the management database and audiovisual information registered in the management database, and outputs the distinction information to the display device” (See paragraph [0007], [0008], [0015], [0039])

For claim 11, Chung teaches “a network control module configured to send content identification information identifying content of audiovisual information of a recording medium to a provider of service information which is associated with locator information in the recording medium relating to the audiovisual information of the recording medium, and to receive from the provider service information containing audiovisual information corresponding to the content identification information” (See paragraph [0027])

“a database control module configured to store content identification information relating to audiovisual information” (See paragraph [0003], [0008], [0040])

“a playback control module configured to output information to a display device to display information, wherein the playback control module generates distinction information distinguishing, from the service information received from the provider,

Art Unit: 2168

between audiovisual information of content identification information not registered in the management database and audiovisual information registered in the management database, and outputs the distinction information to the display device”(See paragraph [0007], [0008], [0015], [0039])

“wherein the database control module is configured to compare the content identification information from the provider and the content identification in a management database, and to register the content identification information and the locator information in the management database if the content identification and the locator information have not been registered in the database control module”(See paragraph [0007-0008], [0038], [0040], [0044])

For claim 12, Chung teaches “a network control module configured to send content identification information identifying content of audiovisual information of a recording medium to a provider of service information which is associated with locator information in the recording medium relating to the audiovisual information of the recording medium, and to receive from the provider service information containing audiovisual information corresponding to the content identification information” (See paragraph [0027])

“a database control module configured to store content identification information relating to audiovisual information” (See paragraph [0003], [0008], [0040])

“a playback control module configured to output information to a display device to display information, wherein the playback control module generates distinction information distinguishing, from the service information received from the provider,

Art Unit: 2168

between audiovisual information of content identification information not registered in the management database and audiovisual information registered in the management database, and outputs the distinction information to the display device”(See paragraph [0007], [0008], [0015], [0039])

“a system control module is configured to determine whether the service information to be acquired has already been received previously, and to not acquire the service information if the service information has previously been received” (See paragraph [0007-0008], [0044-0046])

For claims 14 and 17, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 4 and is similarly rejected.

For claim 15, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 5 and is similarly rejected.

For claim 16, Chung teaches “reading content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information (See paragraph [0004-0008], [0014], [0044])

“connecting with the provider of service information based on the locator information”(See paragraph [0037], [0044])

Art Unit: 2168

“comparing the content identification information from the provider and the content identification in a management database, and registering the content identification information and the locator information in the management database if the content identification and the locator information have not been registered in the management database” (See paragraph [0007-0008], [0038], [0040], [0044])

For claim 18, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 7 and is similarly rejected.

For claim 19, Chung teaches “reading content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information (See paragraph [0004-0008], [0014], [0044])

“connecting with the provider of service information based on the locator information”(See paragraph [0037], [0044])

“comparing the content identification information from the provider and the content identification in a management database” (See paragraph [0007-0008], [0038], [0040], [0044])

“determining whether there is a request to acquire service information based on the locator information”(See paragraph [0044-0046])

Art Unit: 2168

For claim 20, Chung teaches “determine whether the service information to be acquired has already been received previously, and to not acquire the service information if the service information has previously been received” (See paragraph [0007-0008], [0044-0046])

For claim 23, Chung teaches “means for reading content identification information from a recording medium for identifying content of audiovisual information and locator information relating to the audiovisual information in the recording medium, the locator information relating to the audiovisual information for locating a provider of service information (See paragraph [0004-0008], [0014], [0044])

“means for connecting with the provider of service information based on the locator information”(See paragraph [0037], [0044])

“means for storing content identification information relating to audiovisual information”(See paragraph [0003], [0008], [0040]) and

“means for determining whether there is a request to acquire service information from the provider based on the locator information”(See paragraph [0044-0046])

Response to Amendment

6. Applicant's arguments filed August 28, 2006 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's argument. As per claims 6, 11, 12 and 16, applicant argued Chung does not teach "wherein the database control module is configured to compare the content identification information from the provider and the content identification in a management database, and to register the content identification information and the locator information in the management database if the content identification and the locator information have not been registered in the management database". On the contrary Chung teaches at paragraph [0007-0008] receiving most recent of additional information on contents recorded on the recording media and storing the information on an information storage medium. However, Chung's teaching of receiving most recent additional information reads on applicant's claim language, because in order to determine the information is a recent information will have involved comparing the information and checking the information storage medium to determine if the information was previously received or not before storing the information in the storage medium.

As per claims 12, 19 and 23, applicant argued Chung does not teach "means for determining whether there is a request to acquire service information from the provider based on the locator information" and "a system control module is configured to determine whether the service information to be acquired has already been received previously, and to not acquire the service information if the service information has

Art Unit: 2168

previously been received". On the contrary Chung teaches at [0044-0046] request from user for additional information on the content. Like wise at [0007-0008] the server system providing additional information, receives most recent of the additional information on the contents recorded in the recording medium. Therefore emphasizing the word most recent additional information, makes it clear that only recent additional information are received.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUBUSOLA ONI whose telephone number is 571-272-2738. The examiner can normally be reached on 7.30-5.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KBP

OLUBUSOLA ONI
Examiner
Art Unit 2168



TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100